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THE OUT-AND-OUTER





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THE OUT-AND-OUTER
BY
MILES MALLESON

IN OUR VIEW IT IS MUCH better that the Tribunals should be in a position to give what I may call, without disrespect, the out-and-out Conscientious Objector an absolute dispensation.—LORD LANSDOWNE
in the House of Lords, 26th January, 1916.

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THE OUT-AND-OUTER

By MILES MALLESON

THE CONSCIENTIOUS OBJECTOR AS A REASONABLE BEING

TO the vast majority of British people this war is entirely and altogether somebody else's fault. An enemy nation has made a wanton attack upon an unsuspecting Europe. It is as though a criminal had burst into another's home and begun to set about its occupants—and a man who would not defend himself under such circumstances must have a bad kink in him somewhere. Those who know of the physical ill-treatment that very many conscientious objectors have had to face in the army, and how they have faced not only that, but the death sentence and long terms of imprisonment, have indeed been forced into an attitude of respect towards them, yet even to them they remain men with a kink; sincere, but impossibly fanatical. And because they are so regarded any discussion of the problem might well, in fairness, begin with a definite denial of the kink.

Thousands of all sorts and conditions of men, of all shades of thought, have gathered together as C.O.'s, and for that reason, united as they are, they would state their objections from various points of view.

One would say he was a Christian but could not interpret Christ's teaching as the majority do. "To me," he might argue, "the whole of your civilised West is unchristian; your industrialism, your commercialism, your capitalism, your whole world of business is fundamentally and hopelessly opposed to Christianity. 'What can I get?' That is the spirit that prevails in your world. 'What can I give?' That is the spirit of Christ, and the two are incompatible. The uncompromising Christianity of Christ has never yet been tried, and that is why you are in this ghastly mess; only in my own life I must follow His teaching, trying always to return good for evil and love for hate."

And another: * "I am a Socialist and my Socialism is based on a belief in the sacredness of human life and the unity of all human lives. If this belief is to find expression in modern civilisation the social order must be reconstructed in order (1), to encourage what is best in human life instead of degrading it, and (2), to express the

* Statement made in Fenner Brockway's application for exemption.

principle of co-operation instead of that of competition. War is the antithesis of Socialism. It destroys human life and denies the unity of humanity. To participate in war would be to outrage my conscientious and most deeply held convictions. I cannot do it."

Yet another might deny that the simile of the criminal is a just analogy of the European situation. He might argue that Militarism in Germany grew and flourished upon the fear of the ever-growing Russian Militarism and French Militarism, allied as these were to British Navalism against her; and he might quote many instances of how just those fears seemed before the war.* He might tell how Britain had supported France in her aggressions in Morocco, and how the treaty of Algeciras became with our consent a scrap of paper; he might recall the like fate of treaties in Persia, where Russia and Britain took what was not theirs, and he might say, if one wants an analogy from nations to individuals, that the truest picture is not that of a criminal attacking the innocent, but of several business men, all concerned chiefly with their own selfish interests, all mutually suspicious and fearful, all engaged in a ceaseless, relentless struggle to make money, and all ready to exploit to this end the lives and lands of others, all spending more money than they could decently afford on learning to fight, until suddenly one of them, who had become especially proficient as a pugilist, in a panic of alarm at a powerful combination which appeared to be directed against himself, struck out at his neighbours, and in a moment blood was flowing all round, and they were all engaged in an indecent and brutal battle. "Not by joining in the fight," says the C.O., "not by shedding more blood and inflicting uglier wounds, can I do my part to improve the state of these men; but, however hopeless it may seem, by doing all in my power to bring them back to peace,

*"Here is Germany, in the middle of Europe, with France and Russia on either side, and with a combination of their armies greater than hers. Suppose we had here a possible combination which would lay us open to invasion . . . which, in combination, would be stronger than ours, would not we be frightened? Would we not arm? Of course we should."—*Mr. Lloyd George, Queen's Hall, July 28, 1908.*

"The possibility of a war on two fronts is the nightmare of German strategists, and, considering the pace at which Russia has been building up her field armies since 1905, the nightmare is not likely to be soon conjured away."—The military correspondent of the *Times*, 1911.

The Belgian diplomatic representatives in Berlin, London and Paris expressed a unanimous fear that the diplomatic policy of the Entente, by giving Germany just cause for supposing the combination was directed against her legitimate interests, was making for war.

and, as they have got to go on living next door to one another, to remove the mutual misunderstandings that before made peace impossible.”

One may differ from such opinions as these, but one cannot, without condemning oneself as a fanatic, condemn them as fanatical.

THE GOVERNMENT: THE MILITARY SERVICE ACTS: AND ABSOLUTE EXEMPTION

Not only did the Government realise when they determined upon Conscription that there would be men who would refuse to be conscripted, but they realised, too, that there would be men whose case could only be met by the granting of Absolute Exemption. The first Military Service Act made provision for this.*

Further, Mr. Walter Long in a circular (R. 76) issued by the Local Government Board in connection with the First Act, stated: “There may be exceptional cases in which the genuine convictions and the circumstances of the man are such that neither exemption from combatant service nor a conditional exemption will adequately meet the case. Absolute exemption can be granted in these cases if the Tribunals are fully satisfied of the facts.”

In addition, Lord Lansdowne, speaking in the House of Lords on January 26th, said: “In our view it is much better that the Tribunals should be in a position to give what I may call, without disrespect, the out-and-out Conscientious Objector an absolute dispensation.”

Finally in the Second Act—or rather when the First Act was extended to include married men—the power of Tribunals to grant absolute exemption to C.O.’s was stated still more explicitly.†

But, alas, it is a Tragedy in three Acts; and in the Third Act the Tribunals enter and turn it into a farce. With a lofty disdain for the law, for the Local Government Board circulars, and for Ministerial

* “Any certificate of exemption may be absolute, conditional or temporary, as the authorities by whom it is granted think best suited to the case, and *also* in the case of an application on Conscientious grounds may take the form of an exemption from combatant service only, or may be conditional on the applicant being engaged in some work which in the opinion of the Tribunal dealing with the case is of national importance.”

† The word “also” was added in the report stage in order to make clear that absolute exemption was possible for C.O.’s as well as the two special forms of exemption mentioned immediately afterwards.

† “It is hereby declared that the power to grant special certificates of exemption in the case of an application on conscientious grounds under subsection (3) of section two of the Principal Act is additional to and not in derogation of the general power conferred by that Act to grant an absolute, conditional, or temporary certificate in such cases.”

statements, guided solely by their own personal feelings, opinions, and prejudices, they have resolutely refused to grant in all but an insignificant number of cases the absolute exemption which in the proper cases the Government professedly intended them to grant.

“THE ABSOLUTIST”

Now although the Government thus early and obviously recognised the need for absolute exemption, the Tribunals and the public in general seem absolutely incapable of realising that a conscientious objection does not arise merely from a squeamish dislike of seeing blood flow, or from a personal aversion to being killed; but rather from a deep conviction that the root causes of the war lie far down among the evils of our civilisation, that violence and its consequent hate cannot be ended by violence and hate, that Militarism is an evil the Military cannot destroy, and that War and Conscription are utterly mistaken and wrong.

“We consider,” says the Absolutist, or, as Lord Lansdowne called him, the “Out-and-Outer,” “that the Military Service Acts are crimes against humanity. We cannot bring it into line with our sense of responsibility to our fellow-men to acquiesce in them in any way; we cannot, as it were, ‘compound a felony’ by accepting any form of compulsory alternative service as our price of exemption.” Let me quote a passage from Fenner Brockway’s appeal when he was asking for absolute exemption:

“Suppose the State, in a time of grave economic distress, were to decide that every man and woman above sixty years of age was an unjustifiable burden upon the community and therefore ordered its young men to kill all persons who reached that age. It might be expected that many young men would conscientiously object to doing any such thing. ‘Very well,’ the State might say to them, ‘We recognise your conscientious objection, but if you are to be excused from killing the old people you must at least consent to cremate their bodies, or perform some other duty which we consider to be of national importance.’ To cremate the bodies would be of hygienic benefit to the whole community; but might we not expect many young men to answer, ‘No; the whole thing is diabolical, I will have nothing to do with it. If I consented to cremate the bodies, or to do any other work under such conditions, I should become a party to the crime by which they were put to death.’”

To the unprejudiced observer it might well seem that a man who took such an uncompromisingly hostile view of War was the very

kind of person for whom the conscience clause was designed. But no. He is of the one class of Conscientious Objector who is to-day regarded and treated as a criminal.

THE ABSOLUTIST AND THE ALTERNATIVIST

There are many C.O.'s who do not share the view of the Absolutist. Without attempting to enter here into the alternative service controversy, it may be said that, while Conscientious Objectors differ in their conclusions as to whether such service should be accepted, they recognise primarily the need for each man to follow the course which seems to his conscience the right one.

THE ABSOLUTIST AND THE GOVERNMENT

But the point that concerns us here is that while there are those who have in all sincerity accepted the Home Office Scheme,* there are those who will most certainly not do so.

Let us put ourselves for a moment in the position of this Government, that has, be it always remembered, in the letter of the law so far done honour to our traditions as to undertake to respect genuine conscientious objections, and has actually made special provisions to do so in all cases, but that is, not unnaturally perhaps, continually on the look-out for slackers and shirkers, cowards and hypocrites.

Now, without for a moment casting doubt upon the genuineness of those who have thought it right to accept the alternative service

* Undertaking to which C.O.'s have to agree before their release from prison to work under the Home Office Scheme.

I,

promise for so long as I am allowed to be free from military control and military duties :—

- 1.—To serve the Committee for the employment of Conscientious Objectors (hereinafter called the Committee), their Agents or Representatives with diligence and fidelity on such work of national importance as the Committee may prescribe for me.
- 2.—To reside at such place as the Committee, their Agents or Representatives may from time to time determine.
- 3.—To conform to such regulations as the Committee may lay down for the due execution of the work allotted to me.
- 4.—To conform to such regulations with regard to conduct and to such as are framed to secure the well-being of men working under similar conditions to myself as may be made by the Committee or by the Agents or the Representatives of the Committee or as may be made by duly appointed Representatives of the men so working and approved by the Committee.

I understand that if and when I cease to carry out any of the foregoing conditions I shall be liable to complete the term of my sentence and subsequently to be recalled to military service.

offer (indeed, men who have faced the death penalty have accepted it), still it does remain true that the man who has refused the offer has, by force of circumstances, been able to prove even to the most abandoned and suspicious cynic that he is genuine. For if you accept the scheme, you do know what is before you for the rest of the war; but if you do not accept it, you remain in prison and you do not know what further persecution may be ahead. All that you are aware of is that you are to be dealt with especially hardly, that you are to be sent back to the army at the end of your sentence, to go through the mill again until you are again court-martialled and sentenced; the prospect is one of endless renewal of prison, broken only by spells of resistance in the army. Yet it is the man who chooses prison in such circumstances rather than do what is to him wrong and accept a comparatively easy way out—and that man only—whom the Government intends to pursue with relentless persecution. The thing is grotesque in its seriousness. Listen to Mr. Lloyd George. "With that kind of man," he said, "I personally have absolutely no sympathy whatsoever. I do not think they deserve the slightest consideration. . . . I shall only consider the best means of making the path of that class a very hard one."

MR. BERTRAND RUSSELL ON "CLIFFORD ALLEN AND MR. LLOYD GEORGE."

I feel I cannot do better than quote Bertrand Russell's "Tribunal" article upon this speech of Mr. Lloyd George in connection with the arrest of Clifford Allen.

"There is a manly note of primitive ferocity about these words," Mr. Russell wrote; "they show the odd misconception of the nature of conscience which has been common to almost all our politicians, who may, for aught I know, have made a careful study of the subject in dictionaries and histories, but have evidently been denied by nature the opportunity to learn about it by looking within. Mr. Lloyd George seems to think that conscience can only *forbid* things; the kind that *enjoins things* is apparently unknown to him. Does he think that St. Paul would have been satisfied with a certificate excusing him from preaching paganism? Does he think that Luther would have acquiesced in a dispensation from maintaining the doctrine of indulgences, on condition that he should preserve silence as to his objections to the doctrines? Does he think that Joan of Arc would have accepted civil alternative service? Would he himself have been willing to spend all his time during the Boer War in growing cabbages?"

“All these parallels, and especially the last, are applicable to the case of Mr. Clifford Allen, and, in varying degrees, to the cases of the other men who will not accept alternative service. They believe that war is a crime and a disaster; they cannot satisfy their consciences by a passive non-participation, but feel bound to do what they can to bring the nations to their point of view. There is a habit of representing these men as slackers and shirkers, people to whom an honest day's work is abhorrent. Those who say this are either very ignorant or very mendacious. The immense majority of men of this class are exceptionally hard workers, who have proved their public spirit (except when they are still too young to have had the opportunity) by vigorous service in causes which they believe to be important to the welfare of the community. Mr. Allen himself, as all who know him can testify, habitually works harder than any member of the present Government has ever worked; and it would be a childish absurdity to suppose that his work is inspired, in the very slightest degree, by any hope of private advantage.

“Mr. Allen's view, when requested to find ‘work of national importance,’ was bound to be that the work which he has been doing is of greater national importance than any that the Pelham Committee would sanction. He is in the position of a medical man who believes that he has discovered a cure for a pestilence from which hundreds of thousands are dying, and who is ordered to cease from practising medicine for fear he should discredit rival practitioners. It is not unwillingness to serve the community that produces disobedience to such an order; on the contrary, it is the sense of duty to the community that makes obedience impossible.

“‘When the nation,’ says Mr. Lloyd George, ‘has got to be mobilised, not merely for war, but for the purpose of providing food and for relief at home, and for the purpose of seeing that there is no suffering amongst the women and children whilst the men are fighting, those men certainly deserve no encouragement from the country or from the House of Commons.’ But even the War Minister must be aware that the conscientious objector is, of all men, the most sensitive to the suffering caused by the war, and the least willing that women and children should starve. The conscientious objector knows, however, that if he agrees to perform agricultural work, some man now employed upon the land will be “unstarved” and will become a conscript: the final result of his action is not to increase the amount of food for women and children, but only to increase the amount of food for cannon. A man who will not fight himself is

bound in honour to avoid, if he can, any action which enables the Government to compel someone else to fight in his place. And those who believe the war to be a mistake believe that the hardships of which Mr. Lloyd George speaks ought to be alleviated by making peace; they believe this so strongly that they are willing to suffer any penalty rather than cease to bear testimony to their faith."

One might add that the road-making to which the C.O.'s are set under the Home Office scheme is obviously a penal task and not one for the relief of suffering among women and children. If there is any real need for such relief, why are not the men between forty and sixty mobilised? According to their own statements hundreds and thousands of them would volunteer for such work immediately and under any conditions.

SOME TYPICAL CASES

The case of Clifford Allen, first chairman of the No-Conscription Fellowship, is a good illustration of the absurdity of the situation. His Appeal Tribunal acknowledged that he had a Conscientious Objection within the meaning of the Act, not only to Combatant, but also to Non-Combatant Service; but he found himself in the army "deemed" to be a soldier and is now serving a sentence of a year's hard labour in Wormwood Scrubbs Prison. There were any number of pleasant, safe occupations that he could have undertaken to the satisfaction of the Tribunal, but Allen is the kind of man who was naturally doing the work he considered to be his first duty, and he could not be compelled to change it; thereby he reinforced the Tribunal's judgment as to the unselfish genuineness of his objection, and as a result he is being treated as, we were told by the Premier, only the "cowards and hypocrites" among professed Conscientious Objectors were to be treated.

Fenner Brockway, the editor of the *Labour Leader* and present chairman of the No-Conscription Fellowship, from whose grounds of appeal I have quoted, is, except that he is at the moment of writing still awaiting arrest, in the same position.

The case of Stuart Beavis* is even more striking. He was con-

* Extracts from a letter from Stuart Beavis, written from Winchester Prison, on his return from France:

"We have not always had the pleasantest of times, though we were usually happy enough. One of the worst things to put up with through all has been the suspense and uncertainty of what would turn up next, and I think most of us felt a certain sense of relief even when the prison doors closed behind us last night, as, although we were still looking forward to a

demned to death in France, and is now undergoing ten years' penal servitude: because he will not do what he thinks wrong and accept alternative service, he will remain in prison. But should his sentence be commuted, or should this or another war be in progress at the end of his ten years (the Government having by that time sufficient proof of his "cowardice and hypocrisy"), he will be sent back again into the army.

I have before me a letter concerning H. Gouldsbrough, who has spent four months in prison; his sentence having expired, he is now back again in the army undergoing fresh and severe punishments for his continued allegiance to his beliefs; apparently his officer announces to him his intention of breaking him and making him a soldier (as if a man broken by violence into violating deeply held beliefs were a handiwork to be proud of), and threatens that he will be sent to France.

One more example of many: Mr. Scott Duckers,* who from

further ordeal, we felt that the stage of the actual resistance to the military threatening and bullying was at an end. I do not like the look of Mr. Asquith's latest proposal, which we heard of during the journey yesterday, as I cannot see that it alters the real position. I personally cannot see how a man can logically accept work of 'national importance' as a condition of his being released. It appears to me not to differ fundamentally from non-combatant work. As soon as one makes a condition of that sort it is tantamount to bargaining his right to dispose of his conscience, and it rather looks as though I shall have to stick on in prison for the completion of my term. And even here I can see troubled waters ahead, as I cannot undertake to do work here that is of a military nature, and then I shall make myself liable to all sorts of penalties, and not be allowed the privilege of writing letters and receiving visits should they insist on giving me such tasks. That will also make it highly improbable of any remission for good conduct taking place, so I am making up my mind to go through some dark times. However, I am going to try and keep smiling, remembering that others have gone through far worse for their fellows, and things may brighten up yet. 'Prepare for the worst, but hope for the best' has been my motto all through, and I still have it nailed across my mental threshold."

* *Extract of letter from J. Scott Duckers to his mother:*

"To save further misunderstandings, let me state again:—

1. That I am all right, and am prepared to accept the full consequences of my views.
2. I wish no sort of preference or privilege over anyone else in the same position.
3. I expressly refused to accept the present Government Scheme, or to have anything to do with the Central Tribunal.
4. That I am not trying to 'get out' of anything, and that rather than make any compromise I shall repudiate the efforts of those nearest and dearest to me."

the first has adopted an uncompromising attitude, with an entire disregard for consequences, has served one sentence, has been sent back to the army, court-martialled again, and is now again in prison. "Refusing to be a soldier," he said at his second court-martial, "is not now my real crime. The crime is that I refuse to escape from soldiering by accepting the Government scheme." To quote from the *Labour Leader*: "Mr. Scott Duckers is a good example of the type of man whom the Government has announced its intention of treating in this harsh manner. His opposition to participation in warfare is well known. He is the chairman of the Stop-the-War Committee, and has long publicly expressed his anti-militarist views. His social work in London in more than one poverty-stricken district has won golden tributes from men like Dr. F. B. Meyer and the Rev. Thomas Phillips, at whose churches he has acted in a voluntary capacity as Poor Man's Lawyer. He is a rising young barrister, and in the political world a bright future seemed to be before him. He has filled the post of private secretary to Mr. Herbert Samuel, and was the adopted Liberal candidate at Brentford when the war broke out. What possible purpose can the Government serve by continuing the persecution of such a man. . . . ?"

WHY NOT CARRY OUT THE ACT?

Whatever the next move may be one thing is certain, that the only honourable and decent way out is that the Government should see to it that the law they themselves made is correctly administered and that a certificate of exemption should be absolute when that alone meets the case.

Indeed if one considers how much of the whole trouble has arisen simply because the Act has never been justly administered, one may well pause to wonder why it should not have been.

The answer is that the Tribunals from end to end of the country have argued with those coming before them and claiming their legal right of Absolute Exemption in some such way as this: "There are hundreds of thousands of young men who are making a supreme sacrifice; who are daily facing death and mutilation, and you come here and ask us to let you go about your business, as if there was no war—it is unthinkable." Yes, indeed—but if only the Tribunals realised why it is unthinkable! Very many of the "out-and-out" conscientious objectors were, before the war, conscientious objectors to the society in which they found themselves. That is to say, they realised acutely the suffering, the injustice, the squalid unhappiness, the dreary

monotony that were swamping and stifling the lives of millions around them ; and, realising their own responsibility towards these millions of their fellow-men, they were spending their lives, wholly or in part, in the service of their ideals—in alleviation of social wrongs, in reconstruction, in a struggle to make life nobler and finer for the people. And that such men should now demand this Absolute Exemption for themselves out of selfish reasons, and then go about their business as if there was no war, is indeed utterly unthinkable.

A very difficult and dangerous period of reconstruction is before this country and before mankind. Our internal domestic life, as well as our external relations with others, must undergo very great, very fundamental alterations.

Are we to enter upon this period with a public opinion manufactured and inspired by a few unscrupulous, short-visioned, but enormously powerful journalists ?

Rather, we shall want all the wisdom, all the tolerance, all the thought, every aspect of truth that we can call to our aid.

To imprison unselfish, sincere men because one differs at the moment from their social, moral, or religious beliefs is not only an act of monstrous tyranny but of wasteful folly.

No one is more conscious of the suffering and heroism of the soldiers than the C.O.'s, nor more ready to admit that they have not been called upon to make equal sacrifices ; but the heroism and suffering of all the peoples in all the belligerent armies cannot be accepted as arguments in favour of war, any more than the bravery of firemen is a valid argument in favour of fires. Nor can equality of sacrifice be considered in this respect an end in itself—otherwise one might advocate the frequent assassination and imprisonment of members of Tribunals, just to make it a sufficiently perilous job for any self-respecting gentleman to take on !

* * * * *

It has been suggested that the Government is now especially anxious not to allow the principle of Absolute Exemption, because they have in view some permanent form of Conscription after the War—that may be ; but if so, what a vindication of the conscientious objector !

THOSE WHO COME AFTER

Recently, in the very early hours of the morning, a battalion of soldiers passed beneath my window on their way to the Front. The steady tramp of thousands of feet, echoing in the silent emptiness

of the streets below, first woke me—the men were singing and whistling as they marched.

I lay in the darkness and listened till the sound of their songs did not come back to me from the distant streets, and the steady beat of their feet, growing fainter and fainter, seemed to mingle with the beating of my own heart for them. And out into the blackness across London my thoughts followed them. Followed them on to the troopship and out to the open sea—with the free air and sky, and surging water wrapping the ship round, and the comfortless troop-deck within, and the thought in the heart of each man as he knew that the ship had left England, and wondered curiously within himself whether he had left for ever: followed them to France, and on their way up to the firing line, past the field hospitals and the first dressing stations, and the poor, torn, moaning, screaming men: followed them into the battle with the fear, the heroism, the savage hate, the comradeship in arms against the enemy, the comradeship in agony and death, where enmity is forgotten and its monstrous unreality understood: and still my thoughts travelled on, beyond the enemy lines, beyond the same pitiful sickening scenes and sounds of his hospitals, and his dressing stations—till again the battle noises seemed to cease within the great cities in the enemy country. And there, with the same look on their faces, and the same thoughts in their hearts, with the same brave gaiety, men were saying good-bye to their wives and children, and to their lovers who had but dreamed of children, and were hastening battlewards. Surely those that come after will look back upon these dreadful years with questioning wonder: "Were there none who would not?" In every country they will find records of a few; and in every country they will find that they were persecuted as traitors.

And here in England, whose greatest gift to the world has been the gift of Freedom, they will learn how, even while we were boasting as we have never boasted before of our great traditions, we shut away in prisons those who could not be false to their beliefs.

As the histories of these black years must contain chapters of wondering tribute to the sacrifice and brave endurance of those who month after month faced and inflicted mutilation and death, so they will contain a grateful tribute to all the war-time pacifists of the world—and to the Conscientious Objector.

MILES MALLESON

September, 1916.

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